THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Civil Misc. Writ Petition (M/S) No. 249 of 2006
(Under Article 226/227 of the Constitution of India)

Shri Prem Chand Jain, S/O Shri Lal Chand Jain,
R/O 16/5, Akhara Mohalla, Dehradun.

… **Petitioner.**

Versus

1. District Judge,
   Dehradun.
2. Shri Gajinder Singh, S/O Late Shri Bhagwan Singh,
   Alias Bhagwan Dass, R/O 6, Hanuman Chowk,
   Dehradun.
3. Smt. Sunita Devi W/O Late Sri Virender Singh,
   R/O 6, Hanuman Chowk,
   Dehradun.
4. Sri Vikram Singh S/O late Sri Virender Singh,
   R/O 6, Hanuman Chowk,
   Dehradun.
5. Sri Ajay S/O late Sri Virender Singh,
6. Smt. Kavita D/O Late Sri Virender Singh,
   Residents of 6, Hanuman Chowk,
   Dehradun.

... **Respondents.**

Sri V.K.Kohli, Sr.Adv. assisted by Sri I.P.Kohli, learned counsel for the petitioner.
Sri Nand Prasad, Learned Standing Counsel for the respondent No. 1.

Dated March 22, 2006.

PC:
(Hon'ble B.S. Verma, J.)

Heard learned counsel.

The petitioner has filed the present Writ Petition to issue a writ, order or direction in the nature of mandamus commanding the District Judge, Dehradun (respondent no.1) to decide the Rent Control Appeal No. 99 of 2001 Shri Prem Chand Jain Vs. Shri Gajendra Singh and others expeditiously.

The record of the case shows that the petitioner-landlord filed an application under Section 21 of the U.P. Act No. 13 of 1972 for release of the shop under the tenancy of respondent nos. 2 to 6, which was registered as P.A. Case No. 38 of 1998 before the Civil Judge/Prescribed Authority, Dehradun. The said case was decided vide judgment and order dated 30.6.2001 rejecting the release application of the petitioner. Aggrieved, the petitioner preferred appeal before the District Judge Dehradun, registered as R.C.A. No. 99 of 2001. the grievance of the petitioner-landlord is that the proceedings of the appeal are being prolonged on one pretext or the other. The said appeal is admittedly pending since the year 2001.

In the course of argument, learned counsel for the petitioner submitted that to meet the ends of justice, a direction may be issued to the respondent no. 1 to decide the Rent Control Appeal No. 99 of 2001 expeditiously. The prayer is innocuous.

The learned District Judge, Dehradun is directed to decide the aforesaid Rent Control Appeal pending disposal in his court preferably within a period of six months from the date of production of certified copy of this order on merit.

With the aforesaid observation, the Writ Petition is disposed of finally.

(B.S. Verma, J.)

RCP